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6 Attorneys for Plaintiffs
BAY AREA PAINTERS AND TAPERS
7 PENSION FUND, et al.

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10 UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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13 BAY AREA PAINTERS AND TAPERS
PENSION FUND, et al.,

14 Plaintiffs,

15 v.

16 RODEO DRYWALL, INC. and TONY
17 RODRIGUEZ,

18 Defendants.

Case No.: C07-6344 MHP

**REQUEST FOR ENTRY OF DEFAULT;
DECLARATION OF MURIEL B. KAPLAN
IN SUPPORT THEREOF**

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20 TO THE CLERK:

21 Please enter the default of defendants RODEO DRYWALL, INC., and TONY
22 RODRIGUEZ, individually on the Amended Complaint in the above-entitled action. This request
23 is based on the fact that defendants have failed to plead or otherwise defend or appear in this
24 action, and the time permitted for such pleading, defense or other appearance has run.

- 25 1. An Amended Complaint was filed by plaintiffs in this matter on July 1, 2008.
26 2. Defendants were sub-served on July 2, 2008, and process was mailed to defendants
27 on July 7, 2008.

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REQUEST FOR ENTRY OF DEFAULT
Case No.: C07-6344 MPH

1 3. A Proof of Service on Summons was filed with the Court on July 10, 2008.

2 4. No Answer has been filed by defendants. Plaintiffs are therefore entitled to Entry
3 of Default based on the fact that defendants have failed to plead or otherwise defend or appear in
4 this action, and the time permitted for such pleading, defense or other appearance has run.

5 I declare under penalty of perjury that I am the attorney for the plaintiffs in the above
6 entitled action, and that the foregoing is true of my own knowledge.

7 Executed this 8th day of August, 2008, at San Francisco, California.

8 SALTZMAN & JOHNSON
9 LAW CORPORATION

10 By: /s/ _____
11 Muriel B. Kaplan
12 Attorneys for Plaintiffs
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PROOF OF SERVICE

I, the undersigned, declare:

I am a citizen of the United States and am employed in the County of San Francisco, State of California. I am over the age of eighteen and not a party to this action. My business address is 44 Montgomery Street, Suite 2110, San Francisco, California 94104.

On August 8, 2008, I served the following document(s):

**REQUEST FOR ENTRY OF DEFAULT;
DECLARATION OF MURIEL B. KAPLAN IN SUPPORT THEREOF**

on the interested parties in said action by placing a true and exact copy of each document in a sealed envelope with postage thereon fully prepaid, in a United States Post Office box in San Francisco, California, addressed as follows:

**Rodeo Drywall, Inc.
38721 Blacow Road
Fremont, California 94536**

**Tony Rodriguez
38721 Blacow Road
Fremont, California 94536**

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on this 8th day of August, 2008, at San Francisco, California.

_____/s/_____
Vanessa de Fábrega